

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

YESINIA URIBE ROJO, on behalf of herself, FLSA
Collective Plaintiffs, and the Class,

Plaintiff,

-v-

LAKEVIEW SECURITY & INVESTIGATIONS, INC., et
al.,

Defendants.

CIVIL ACTION NO.: 24 Civ. 5729 (JPO) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge:

Pursuant to the initial case management conference held today, October 31, 2024, at which the Court discussed the parties' competing proposed case management plans (ECF Nos. 23; 24 (the "Proposed Plans")) and Plaintiffs' Motion for Conditional Collective Certification under 29 U.S.C. § 216(b) (ECF No. 25 (the "Collective Motion")), the Court declines to adopt either Proposed Plan and orders that the case shall proceed as follows:

1. By **Wednesday, November 27, 2024**, Defendants shall file any opposition to the Collective Motion. By **Friday, December 6, 2024**, Plaintiffs shall file any reply.
2. Defendants' request for bifurcation of discovery is DENIED WITHOUT PREJUDICE.
3. Once the Court has ruled on the Collective Motion, it will conduct a further conference with the parties and implement a full case management plan. Until that time, discovery shall proceed as follows:
 - a. As to Plaintiffs Yesinia Uribe Rojo and Luciano David Villa—as well as any other opt-in plaintiffs who join the litigation in the interim—Defendants shall produce timesheets or other time records, payroll records, employment

records, and any documents regarding policies or practices for compensating security guards.

- b. As to Plaintiff Rojo specifically, Defendants shall produce documents supporting their contention that she is an “employer” under applicable laws.
- c. Counsel for Defendants shall inquire whether the “Deputy” App records “clock in and out times” and manual adjustments made to those times, and if so produce such records for Plaintiffs Rojo and Villa. Counsel for Plaintiff shall promptly provide to counsel for Defendants any screenshots that may aid in Defendants’ ability to make this determination.

Dated: New York, New York
October 31, 2024

SO ORDERED.


SARAH L. CAVE
United States Magistrate Judge